

R E M A R K S

The present amendment is in response to the Official Action dated October 7, 2003, wherein the Examiner rejected pending claims 1-37. More specifically, the Examiner has rejected claims 1-16, 19-22, 28, 29 and 32-35 as being anticipated by Storm et al., US Patent No. 6,144,649. The Examiner has further rejected claim 14 in view of allegedly admitted prior art in the background of the invention on pages 1-4 from the specification of the present application. Still further, the Examiner has rejected claims 17, 18, 23-27, 30, 31, 36 and 37 as being unpatentable over Storm et al., '649, in view of allegedly admitted prior art in the background of the invention on pages 1-5. Lastly, the Examiner has further rejected claims 17 and 18 as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention.

However, contrary to the assertions of the Examiner, the references cited by the Examiner, either separately or in combination, fail to make known or obvious the claims of the present application. Still further, claims 17 and 18 are believed to be sufficiently definite to enable one skilled in the art to practice the invention, especially when considered in view of the application as a whole. Consequently, the applicant's would respectfully request the reconsideration and reexamination of the claims of the present application.

Regarding the Examiner's rejection of claims 17 and 18 under 35 U.S.C. §112, second paragraph, as being indefinite, the Examiner has more specifically identified, that it is not clear what is meant by receiving PN state information, where the Examiner alleges that the phrase "PN state information" is vague. The applicants note that the specific phrasing, which the Examiner alleges as being vague is further provided in the specification. At least one such description is provided at page 22, line 27 to page 23, line 5 of the present application. In connection with the noted description at least one embodiment relative to the claimed phrase is described, which the applicants contend makes the same even more clear. More specifically, in the particular instance, corresponding to the particular embodiment, the PN state information is described as being transferred during a SLAM event, where the states of the branch position counters are transferred over the plurality of lines. The applicant would contend that not only is the claimed phrase clear, but that when viewed in the context of the above noted portion (and other portions) of the application, that the claimed phrase is even more clear. The applicants would request that the

Examiner review the above noted portion of the application, and then reconsider the objection in view of the identified section.

Regarding the Examiner's art rejection of the claims, wherein the Examiner asserts that the claims are either anticipated or made obvious by Storm et al., '649, and the background of the invention section of the present invention, when viewed either separately or in combination, the applicants would contend, that contrary to the Examiner's assertions, the claims are not made known or obvious in view of the references being relied upon by the Examiner. More specifically, neither of the references cited by the Examiner provide for the separate staged activation of the searcher receiver and the at least one demodulation branch.

Storm et al., US Patent No. 6,144,649, is directed to a method for acquiring a pilot signal in a code division multiple access receiver, where a predetermined number of samples of a received signal stored and the stored samples and the contents of the non-real-time linear sequence generator are repetitively correlated. A best correlation is selected and the corresponding alignment value is associated with the finger linear sequence generator of the at least one receiver finger, where the at least one receiver finger is then used to detect the received signal.

In attempting to equate the teachings of Storm et al., '649, with the claims of the present application, the Examiner appears to attempt to equate assigning a finger (demodulation branch) with activating a demodulation branch, however the two are not the same. In fact, before a demodulation branch can be assigned, it needs to have been previously activated. Still further a demodulation branch can be activated without being assigned. Consequently, the assignment of a demodulation branch can not be said to be equivalent to the activation of a demodulation branch.

The distinction is made more clear by the background description of the application. The background description of the application describes the use of slotted paging mode as a method by which power can be saved, in which the radiotelephone does not continuously monitor a paging channel (page 1, lines 16-19). During the times when the radiotelephone is not monitoring the paging channel, the radiotelephone is in a low power mode, where certain radiotelephone circuitry is disabled (page 1, lines 20-23). However in the background description, there is no distinction between the times that the searcher receiver is activated and

one or more of the demodulation branches are activated. In fact, the background description expressly identifies that the approximately 90 percent of the receiver modem circuitry including the searcher receiver and all of the demodulation branches, in prior art spread-spectrum radiotelephones, is commonly gated (page 4, lines 5-8). This is contrary to the present application.

The present application attempts to further address the power usage concerns by incorporating further power saving features into the claimed apparatus. More specifically, the present application provides for activating the circuitry from sleep periods in multiple stages. More specifically, the activation of the searcher receiver is distinct from the activation of the at least one demodulation branch. This allows some circuitry to remain inactive for longer periods of time, during which less overall power is consumed. This is represented in at least one of the claims by the introduction of control circuitry, which activates at least one of the demodulation branches independent of the searcher receiver, and in other claims by the indication that the at least one of the demodulation branches is activated after an event which occurs after at least a portion of the searcher receiver is activated. More specifically, the at least one demodulation branch is activated after the activation of the searcher receiver, where during the time period after the searcher receiver is activated and before the at least one demodulation branch is activated, less power would be consumed.

Because neither of the references being relied upon by the Examiner provides for this feature, the Examiner has failed to support a showing that each and every element of the claims was known to others or would have been obvious to others prior to the time that the application was filed. As a result, the Examiner has failed to support a prima facie showing supporting the present claim rejections.

Consequently the applicants would contend, that the claims are allowable over the prior art of record for the reasons noted. The applicants would request that the Examiner reconsider the claims in view of the above noted reasons. Allowance of the application is respectfully requested.

In the event, that there are any remaining unresolved issues precluding the issuance of the present application after consideration of the present response, before issuing a further rejection,

the Examiner is respectfully requested to contact the applicants' agent at the below listed number to discuss the same.

Respectfully submitted,

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